UNITED NATIONS **S**

Security Council

Distr.
GENERAL

S/1999/1260
17 December 1999

ORIGINAL: ENGLISH

REPORT OF THE SECRETARY-GENERAL ON THE UNITED NATIONS MISSION IN BOSNIA AND HERZEGOVINA

I. INTRODUCTION

1. The present report is submitted pursuant to paragraph 20 of Security Council resolution 1247 (1999) of 18 June 1999, in which the Council, inter alia, requested the Secretary-General to report every three months on the implementation of the mandate of the United Nations Mission in Bosnia and Herzegovina (UNMIBH) as a whole. The previous report dated 17 September 1999 (S/1999/989), provided a comprehensive overview of the contribution of the United Nations to peace implementation efforts in Bosnia and Herzegovina. The present report focuses on areas of recent progress and on further steps that will be necessary for UNMIBH to become more effective in achieving its core mandate in order to complete its mission sooner and successfully.

2. The Mission is headed by my Special Representative and Coordinator of United Nations Operations in Bosnia and Herzegovina, Jacques Paul Klein (United States of America). The Mission's International Police Task Force (IPTF), which continues to be led by Commissioner Detlef Buwitt (Germany), has an authorized strength of 2,057. However, owing mainly to redeployment of IPTF officers to the United Nations Interim Administration Mission in Kosovo (UNMIK), the current strength of IPTF is 1,795 (see annex).

II. POLICE RESTRUCTURING AND REFORM

3. During the period under review, intensified efforts in the areas of police registration, minority recruitment, exposing parallel police structures and the establishment of common institutions, such as the State Border Service, have begun to bear fruit. In November, UNMIBH commenced the establishment of the Law Enforcement Personnel Registry. This cornerstone project, which is expected to take at least two years, will result in the first ever authoritative, comprehensive and transparent register of all the approximately 20,000 authorized police officers in Bosnia and Herzegovina. During the first phase of the project, re-registration of 2,017 police officers was completed in the Srbinje (formerly Foca) Public Security Centre in the Republika Srpska, and commenced in Sarajevo Canton in the Federation. During the second phase, those

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officers will be tested, background checks will be conducted and relevant data assessed to determine whether they may be authorized to continue to exercise police powers. This process will also assist in identifying parallel police structures by registering and checking any other personnel who currently have regular and free access to Interior Ministry facilities.

4. Despite limited space and facilities, the two recently established police academies commenced their second intakes of minority recruits. Over the past six months, 85 minority cadets have entered the Republika Srpska academy and 195 have entered the Federation academy. These academies are now well established and planning has commenced for new intakes next year. While these developments are encouraging, training and recruitment of a small number of cadets is clearly not sufficient to significantly change the overall ethnic composition of local police forces. UNMIBH is, therefore, pursuing several methods by which to accelerate the establishment of multi-ethnic police forces. These include encouraging refugee former police officers to return to Bosnia and Herzegovina with the assistance of the International Organization for Migration, recruiting displaced former police officers and assisting them to return to their homes of origin, and arranging for the exchange of serving officers between the Republika Srpska and the Federation.

5. Comprehensive and intrusive inspections and audits of police facilities have continued to reveal grave deficiencies in supposedly unified police structures in ethnically mixed cantons of the Federation. During September and October, UNMIBH conducted comprehensive inspections of the six police stations in Mostar. In addition, in connection with a weapons inspection by the multinational stabilization force (SFOR) on 14 October, UNMIBH also obtained various financial and personnel documents on the Bosnian Croat police. These inspections and documents further confirmed the existence of parallel budgets and parallel personnel systems, undeclared police personnel, separate crime databases and shortcomings in the chain of command that constitute major impediments to professional and democratic policing. Regrettably, the political will of the Federation partners, particularly local Bosnian Croat authorities, to address such core issues is weak. Constant international presence and increased pressure are required to expose illicit police structures and to secure their removal.

6. To these ends, UNMIBH is intensifying its use of intrusive audits, that is, the exhaustive inspection and review of a particular police administration (including the search of facilities and documentation), and micro-audit mechanisms, which examine, analyse and compare specific aspects of policing in different police administrations. UNMIBH has also expanded the use of its co-location policy to enable closer scrutiny of police behaviour and provide on-the-job advice and training. Nearly 500 IPTF officers are now co-located with local police in 205 functional locations at 51 of the 56 main police stations in Bosnia and Herzegovina, including in sensitive areas of eastern Republika Srpska (Srbinje, Visegrad and Srebrenica). On 19 November, instructions were issued to expedite the assignment of a further 300 IPTF monitors to the UNMIBH co-location and special adviser programmes, including to cantonal public order support units and to court police in three cantons. In addition, during this period, civil affairs advisors were assigned to the Ministries of the Interior of both entities and to the Interior Ministry of

canton 7. Although full co-location is highly resource intensive, it is an essential tool to improve police professionalism and to ensure that political commitments to police restructuring are actually implemented in police stations.

7. In cases where individual police officers or government officials purposefully fail to perform their professional duties, UNMIBH has begun to develop a more effective system of reporting on non-compliance and a more robust policy of de-certification. Between 1 September and 17 November, IPTF issued 54 non-compliance reports relating to incidents of serious misconduct or non-cooperation. Of particular concern recently has been the refusal of several Bosnian Croat police administrations and judicial institutions to comply with the decision of the High Representative on the removal of non-neutral and offensive insignia in the Federation. In cooperation with the High Representative, UNMIBH is pursuing a policy of targeted pressure to overcome political obstruction from the leaderships of certain cantons. However, the latters' resistance to compromise on such important symbolic and substantive issues indicates, yet again, an inherent unwillingness to accept the basic terms of the Federation.

Common institutions

8. During the past quarter, my Special Representative has paid particular attention to aspects of the UNMIBH mandate that contribute directly to building common institutions to foster the development of Bosnia and Herzegovina as a State. The establishment of the State Border Service has been a difficult and unnecessarily prolonged endeavour. Following the Declaration of the Presidency of Bosnia and Herzegovina adopted in New York on 15 November (S/1999/1179, annex), the draft Border Law received the assent of the Presidency and has now been forwarded to the Parliament of Bosnia and Herzegovina for consideration. However, in view of the history of delay and obstruction caused by vested interests, which profit from the present lack of effective border control, the international organizations in Bosnia and Herzegovina will need to take a firm and united approach in implementing this critical project. On the operational side, UNMIBH and the Office of the High Representative have continued concurrent activities in preparation for the inauguration of the Border Service by 31 December. The first multi-ethnic group of 30 border police completed training in Austria on 17 December, with further courses scheduled for January and February. The interim headquarters location has been identified, the organizational structure defined and applications for senior management positions are being evaluated and employment contracts developed. However, there remain serious gaps in funding, particularly for uniforms and equipment.

9. The Mission has initiated efforts to establish a Bosnia and Herzegovina multi-ethnic civilian police contingent that will be available for participation in peacekeeping missions abroad. My Special Representative has promoted this idea in order to encourage international identity for the State of Bosnia and Herzegovina and to provide incentives to motivated and professional officers to work together in a neutral environment and bring back valuable experiences in international policing to their colleagues in the domestic police force. UNMIBH expects that a small Bosnia and Herzegovina police contingent will be available to participate in a United Nations peacekeeping mission in 2000. The effort has been endorsed by the Joint Presidency.

10. The implementation of the Brcko arbitration award provides a unique opportunity to establish a model district with innovative governance, which could be emulated in other parts of Bosnia and Herzegovina. In support of the High Representative's District Supervisor for Brcko, UNMIBH continues to provide advice on full implementation of police, judicial and other aspects of the Brcko arbitration award. The restructuring of the Brcko police force is scheduled to be completed in January 2000; 30 IPTF officers are now co-located in local police stations. Two UNMIBH judicial experts have provided significant assistance in drafting the judicial portions of the district statute to help ensure that the independence and accountability of rule of law institutions are guaranteed. However, political and financial constraints persist. The Minister of the Interior of the Republika Srpska has yet to finalize agreements regarding transit rights through Brcko and the use of forensic facilities for cases in the new district. It is also necessary that funding sources be identified as soon as possible to ensure that the pay, benefits and pensions of the police, judiciary and civil administration meet the vision and terms of the arbitration award.

III. JUDICIAL SYSTEM ASSESSMENT

11. The Mission has now completed baseline assessments of the functioning of most of the judicial system in Bosnia and Herzegovina. These assessments document in detail a grave lack of judicial independence, overt political interference and intimidation of judicial officials and substantial court inefficiencies, all of which undermine public confidence and impede the return of minorities to their pre-war homes of origin. UNMIBH has been instrumental in improving court efficiency and practice in areas such as the appointment of judicial officials to long-vacant positions. UNMIBH judicial experts have helped to organize the first inter-entity judiciary meetings since the war and to resolve some of the backlog of cases related to property and employment. Further substantive support has been given to the prosecution of terrorism and corruption cases. UNMIBH judicial experts have also been involved in improving the ethnic composition of courts in ethnically mixed cantons and promoting the transfer of the jurisdiction of minor offence courts to the appropriate levels. They have also assisted with the drafting of various laws and codes on criminal procedure, courts and judicial and prosecutorial services. Court assessment has identified crucial gaps in witness protection and the absence of a court police service. UNMIBH is addressing this issue by forming a Court Police Unit comprised of IPTF monitors and judicial experts.

12. Key to the establishment of the rule of law and the application of fundamental human rights is an effective and impartial judiciary. Legislation will be passed shortly in the Republika Srpska and the Federation, which will establish oversight bodies to review current judicial appointments and professionalize the future appointment and conduct of the judiciary. At the request of the High Representative, UNMIBH's judicial experts have contributed substantially to the drafting of that legislation. On 5 November, the High Representative wrote to my Special Representative stating his expectation that the Mission's judicial experts would take a leading role in the implementation of the pending laws once they are passed. These tasks will require UNMIBH to assist in the development of a methodology for judicial performance assessment

and, within one year of the entry into force of the legislation, to assist in the review of the qualifications and performance of approximately 800 current judges and prosecutors. Furthermore, the High Representative stated that he expects and encourages UNMIBH to expand its use of thematic reports to inform the international community of areas that require attention and to suggest possible solutions.

13. UNMIBH awaits the passage of the vital legislation on judicial commissions within the next two months, at which time it will require a short-term augmentation of its judicial expertise if it is to participate in the judicial commissions as well as maintain and expand the preparation of thematic reports. It is to be hoped that much of the basic work will be done by mid-2000, and a further assessment of this will be made in my next report. It is also clear that the specific role envisaged by the High Representative for UNMIBH's judicial personnel would entail, in addition to monitoring and assessing the judicial system, the authority to advise on ways to improve shortcomings, in particular regarding judicial appointments. Such authority would ensure the Mission's status before the judicial commissions and its ability to participate actively in their work and in the general promotion of the rule of law, within the overall coordination of the High Representative.

IV. COORDINATION OF THE UNITED NATIONS SYSTEM

14. My most recent report to the Council (S/1999/989) demonstrated in detail the interdependence of the work of the United Nations family, specialized agencies and programmes in support of civilian peace implementation. As coordinator of United Nations operations in Bosnia and Herzegovina, my Special Representative seeks to maximize synergy, make the best use of increasingly scarce resources and ensure that all agencies are able to contribute as effectively as possible to the peace process. During the period under review, the focus of coordination efforts included the return of refugees and displaced persons to areas where they would be in the ethnic minority, economic development programmes and the development of education policy and institutions to support multi-ethnic communities.

15. In the first ten months of 1999, the Office of the United Nations High Commissioner for Refugees (UNHCR) registered the return of 43,830 refugees and 32,695 internally displaced persons. Of these, 18,604 individuals were members of ethnic minorities returning to the Federation, while 9,522 individuals members of ethnic minorities were recorded returning to the Republika Srpska. In both entities, political and administrative obstruction at the local level and non-implementation of the property laws were major obstacles to the UNHCR return programme. In this regard, the recent property legislation imposed by the High Representative was a welcome step towards creating improved conditions for return. To assist in the implementation of the property laws, IPTF revised its guidelines and procedures concerning the role of police at evictions. The limited number of minority returns also constrained the success of the IPTF minority police recruitment programmes, which depend on the willingness of police officers to return to their place of origin and their ability to reoccupy their original homes. Working together with the Return and Reconstruction Task Force, renewed efforts were made to coordinate the availability of resources and

use these to support return-related projects, including the building of housing for minority police.

16. The World Bank, the United Nations Development Programme (UNDP) and the International Labour Organization (ILO) have continued to support the transition to a market economy. In its "transition to development" Framework, UNDP is facilitating reconstruction programmes related to refugee return, which also include support of good governance and the development of civil society. The World Bank has commenced implementation of projects to help establish the legal and administrative framework for privatization, assist local infrastructure projects in municipalities and provide working capital to export-oriented firms. ILO has sought to engage the two entities on labour-related issues with a view to standardizing legislation and identifying methods to reduce unemployment through its network of enterprise development agencies. In all of these areas, the establishment of effective rule of law institutions is key to sustainable economic development and improved investment prospects.

17. Education policy and institutions is an area of increasing contention between nationalist groups. Together with the High Representative, the United Nations Educational, Scientific and Cultural Organization (UNESCO) has taken the initiative to propose a standard national education curriculum and to develop a common approach for teaching contested subjects. My Special Representative has taken a keen interest in encouraging a unified education system, which is multi-ethnic and liberal in orientation, in order to resist the strong trends towards segregated structures and curricula. In this regard, UNMIBH has contributed to the work of a recent UNESCO mission to examine the feasibility of a multi-ethnic national university.

V. ENHANCING THE EFFECTIVENESS OF THE MISSION

18. By its nature, peace implementation is dynamic and must evolve in response to changed circumstances on the ground and in the wider context. This is especially true in Bosnia and Herzegovina, where all the principal international actors have recently reviewed progress made over the past four years, identified the challenges ahead and developed the more assertive measures necessary for achieving the goal of self-sustaining peace. In recent weeks, the High Representative has exercised his powers to remove 22 persistently obstructionist local officials from office and has imposed wide-ranging property law reforms that pave the way for a substantial increase in returns next year. The Organization for Security and Cooperation in Europe has banned the obstructionist Serb Radical Party from participating in the forthcoming municipal elections. Robust SFOR operations in Mostar have exposed illicit interference and illegal parallel police structures. The long-term value of these actions depends on the presence of effective rule of law institutions.

19. Substantial progress has been made in police restructuring and reform, particularly police training. However, such progress will remain superficial and incomplete unless comprehensive measures are undertaken to expose and eliminate political interference, corruption and organized crime from local police forces and the judiciary. To these ends, UNMIBH has developed an enhanced and potentially more effective strategic approach to address some of

these issues. This targeted concept of operations comprises full co-location of IPTF with key local police managers, extensive use of audits and micro-audits of police administrations, vigorous implementation of non-compliance and de-certification policies, and the co-location and active involvement of UNMIBH's judicial experts, as appropriate.

20. A more proactive and intrusive approach by UNMIBH in pursuit of its mandate will directly challenge nationalist power brokers and criminal interests, and may well lead to increased security risks for United Nations personnel. These risks are compounded by the inherent vulnerability of unarmed personnel deployed in remote locations in a generally uncertain security situation. In these circumstances, my Special Representative is deeply concerned about implementing the new concept of operations and initiating more assertive actions without having the capacity to guarantee a longer-term protection presence that will deter mischief and opposition. He is also of the view that the dedicated protection of selected United Nations personnel undertaking operations at locations where intimidation and resistance is likely, would provide the confidence essential for more effective police operations and legal proceedings against entrenched political and criminal interests.

21. In this broad context, I must express my concern over the fact that the number of security incidents involving United Nations personnel and property has increased. Since 1 September, 7 UNMIBH personnel have been victims of assaults, 11 United Nations vehicles have been damaged through malicious actions, including 5 which were damaged by a hand grenade explosion outside an IPTF station, and 11 special security alerts/travel advisories have been issued. The majority of these incidents have occurred in areas of known opposition and political extremism, including Zvornik, Prijedor and Kula in the Republika Srpska, in response to specific actions taken by the international community.

VI. OBSERVATIONS

22. Following four years of intensive engagement and major resource commitments to Bosnia and Herzegovina, the international community is reviewing what has been achieved and what more needs to be done to ensure that the peace implementation process is self-sustaining. During my visit to the country from 11 to 13 October 1999, I noted that the substantial progress in physical reconstruction had not yet been matched by progress in political integration, social reconciliation and economic development. In meetings with leaders of the country, I emphasized that they needed to make stronger efforts to breathe life into their common institutions and to support fully the rule of law and the return of refugees and displaced persons.

23. I therefore welcome the declaration adopted in New York on 15 November 1999 (S/1999/1179, annex) by the three members of the Joint Presidency and the renewed commitments they expressed in their briefing to the Council on that same day. In view of subsequent statements made by some members of the Joint Presidency, which appear to detract from the declaration adopted in New York and other commitments, the Council may wish to reinforce the message that the people of Bosnia and Herzegovina expect their leaders to meet their responsibilities and commitments in full. The inauguration and deployment of the first units of

the State Border Service by 31 December 1999 will be a litmus test of their commitment.

24. UNMIBH has made steady progress in laying the foundations for effective rule of law institutions in Bosnia and Herzegovina. The gradual decline in the high national crime rate and an increased willingness of rank and file police officers and many judicial officials to perform their work in a professional manner are encouraging signs of new attitudes. These must be supported by the people of Bosnia and Herzegovina and by the international community in order to overcome entrenched opposition from extremist political interests and criminals.

25. To these ends, the targeted and more intrusive concept of operations which UNMIBH has developed would help to consolidate progress, support local law enforcement personnel to become more vigorous in addressing sources of obstruction and criminality, and enable the Mission to complete its mandate more quickly and effectively. It is also the estimation of my Special Representative that if, for security and credibility reasons, UNMIBH is required to hold back from an assertive implementation of its mandate, momentum might be lost against those who oppose the rule of law. Under those circumstances, the establishment of effective rule of law institutions would remain a distant goal and a fundamental impediment to the combined efforts of the international community to bring self-sustaining peace to Bosnia and Herzegovina. I have therefore instructed my Special Representative to explore various options of addressing possible future security needs of UNMIBH.

26. The Mission also seeks the necessary means and authority to advance the development of a professional and independent judiciary. The establishment of judicial oversight bodies in each entity provides a unique opportunity for the international community to participate in reviewing the professional competence and independence of all judicial personnel in Bosnia and Herzegovina and in setting the standards for judicial conduct and for future appointments. The full participation of UNMIBH's judicial experts in these bodies will be a major contribution to the rule of law in Bosnia and Herzegovina and ideally on completion would signal the culmination of this part of the Mission's work and set the conditions for the accelerated transfer of these activities to local institutions in 2000.

Annex

Composition of the International Police Task Force as at 10 December 1999

Argentina	34
Austria	36
Bangladesh	29
Bulgaria	34
Canada	23
Chile	11
Denmark	29
Egypt	33
Estonia	5
Fiji	15
Finland	6
France	104
Germany	167
Ghana	100
Greece	15
Hungary	38
Iceland	4
India	126
Indonesia	30
Ireland	5
Italy	23
Jordan	117
Kenya	7
Lithuania	2
Malaysia	47
Nepal	18
Netherlands	56
Nigeria	14
Norway	21
Pakistan	97
Poland	47
Portugal	16
Romania	17
Russian Federation	21
Senegal	16
Spain	53
Sweden	55
Switzerland	6
Thailand	6
Tunisia	2
Turkey	31
Ukraine	28
United Kingdom of Great Britain and Northern Ireland	80
United States of America	141
Total	1 795

UNITED NATIONS **S**

Security Council

Distr.
GENERAL

S/1999/1261
17 December 1999

ORIGINAL: ENGLISH

LETTER DATED 17 DECEMBER 1999 FROM THE CHARGÉ D'AFFAIRES A.I. OF THE PERMANENT MISSION OF YUGOSLAVIA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have been instructed by my Government to write to you in connection with the intention of the Special Representative of the Secretary-General of the United Nations in Kosovo and Metohija, the autonomous province of the Yugoslav constituent Republic of Serbia, to grant permission to the Republic of Albania to open a representative office in this Serbian province.

A decision to that effect is grist to the mill of ethnic Albanian separatism in Kosovo and Metohija and would further destabilize the region. It falls within the concept of the creation of Greater Albania at the expense of the territory of the Federal Republic of Yugoslavia and some other countries in the region and the drive to redraw international borders by force. Enwrapping it in the authority of the United Nations threatens to draw the world Organization into machinations that are contrary to its Charter and the principles of international law.

The Federal Republic of Yugoslavia calls on the Security Council to consider the arbitrary decision of the Special Representative, which runs counter to his mandate, and to take appropriate measures to protect its own authority, as well as the authority of the United Nations.

In writing to you, I take the liberty of recalling the continuous destructive role, now in the ascendant, played by the Republic of Albania vis-à-vis the Federal Republic of Yugoslavia and the Balkans, particularly vis-à-vis the situation in Kosovo and Metohija.

The Republic of Albania is the only country in the world and the only State Member of the United Nations that has officially recognized and actively supported the illegal separatist creation of the so-called Republic of Kosovo, proclaimed in the sovereign territory of the Federal Republic of Yugoslavia. It also allowed that illegal creation to open its "representative office" in Tirana. Although taken in most flagrant violation of the Charter of the United Nations and the basic principles and documents of the Organization for Security and Cooperation in Europe (OSCE), those decisions have never been revoked.

Plagued by chaos and lawlessness, the Republic of Albania has stopped at nothing in order to "export" them to Kosovo and Metohija and to instigate the local ethnic Albanian minority to be disloyal to its own State. It took an active part in creating and arming the terrorist/separatist so-called Kosovo Liberation Army (KLA) and transformed a large part of its territory into a KLA recruitment and training camp and a logistic base for its campaign of terror and violence in Kosovo and Metohija.

The Republic of Albania continues to be a source of instability and to provide a safe haven to terrorists, the narco-mafia and organized crime. Permitting the opening of its representative office would not only be contrary to the basic norms of international relations and Security Council resolution 1244 (1999) of 10 June 1999 and violate the sovereignty of the Federal Republic of Yugoslavia, but also render direct support to separatism and terrorism and the transformation of Kosovo and Metohija into a springboard for the criminalization of Europe.

Kosovo and Metohija is an integral and inalienable part of the sovereign territory of the Federal Republic of Yugoslavia. Its status is based on all relevant peace treaties signed in this century, the Charter of the United Nations, the Helsinki Final Act and the principle of international law and has been expressly confirmed in Security Council resolution 1244 (1999). Bearing that in mind, I wish to point out that, under international law, representative offices of foreign States or international organizations can be opened in the territory of the Federal Republic of Yugoslavia only with the prior consent and approval of the Government of the Federal Republic of Yugoslavia. The international security and civil presences, as well as the Special Representative of the Secretary-General, have no right to violate in whatever way the basic principle of international law and international relations relative to the respect of the sovereignty and territorial integrity of States and cannot exercise or replace sovereign power.

I should be grateful if you would have the present letter circulated as a document of the Security Council.

(Signed) Vladislav JOVANOVIC
Chargé d'affaires a.i.

UNITED
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Security Council

Distr.
GENERAL

S/1999/1262
17 December 1999

ORIGINAL: ENGLISH

LETTER DATED 17 DECEMBER 1999 FROM THE CHARGÉ D'AFFAIRES A.I. OF THE PERMANENT MISSION OF YUGOSLAVIA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have been instructed by my Government to transmit its strong condemnation of the attitude of the Special Representative of the Secretary-General of the United Nations in Kosovo and Metohija, the autonomous Province of the Yugoslav constituent Republic of Serbia, of continuous breach of the Charter of the United Nations, international law, Security Council resolution 1244 (1999) of 10 June 1999 and the constitutions and the laws of the Federal Republic of Yugoslavia and the Republic of Serbia.

The Federal Republic of Yugoslavia has warned of the attitude of the Special Representative on many occasions. It pointed to his systematic recourse to the policy of fait accompli and outright cooperation with ethnic Albanian terrorist separatists in Kosovo and Metohija in their practice of the ethnic cleansing and genocide of Serbs, Roma, Muslims, Gorani, Turks and non-Albanians in general.

Violating the constitutional system of the Federal Republic of Yugoslavia and the Republic of Serbia, Security Council resolution 1244 (1999) and the basic norms of international law, the Special Representative has arbitrarily and without authority issued permits to foreign States to open representative offices in Kosovo and Metohija. In doing so, he ignores the irrefutable fact that representative offices of foreign States or international organizations in territories of sovereign States can be opened only with prior consent and approval by States concerned, never without them.

The most recent act of the Special Representative, the establishment of a joint Administrative Council as an executive organ of sorts, constitutes a flagrant violation of Security Council resolution 1244 (1999) which empowers the United Nations Interim Administration in Kosovo (UNMIK) to act as a transitional authority pending the establishment of legal authorities following an election, i.e., until a political solution is achieved. The Special Representative is not authorized to transfer the mandate of UNMIK, the exercise of which is his responsibility, to anybody else, least of all to terrorists such as Hashim Thaci and his acolytes. By his act, the Special Representative has seriously dented the reputation and authority of the Security Council and the Secretary-General

of the United Nations, using them as a smokescreen in his drive to affirm and legalize the power of ethnic Albanian terrorist separatists in Kosovo and Metohija.

Considering the contention of the Special Representative that, in his capacity as Special Representative of the Secretary-General of the United Nations, he takes decisions in consultation with authorities super-ordinated to him, the Federal Republic of Yugoslavia would appreciate being advised whether the Special Representative has the agreement of the Secretary-General and the Security Council for his acts.

I should be grateful if you would have the present letter circulated as a document of the Security Council.

(Signed) Vladislav JOVANOVIC
Chargé d'affaires a.i.

UNITED NATIONS **S**

Security Council

Distr.
GENERAL

S/1999/1263
17 December 1999

ORIGINAL: ENGLISH

LETTER DATED 17 DECEMBER 1999 FROM THE CHARGÉ D'AFFAIRES A.I. OF THE PERMANENT MISSION OF YUGOSLAVIA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

Since the arrival of the international presences in Kosovo and Metohija, the autonomous province of the Yugoslav constituent Republic of Serbia, this Serbian province has witnessed not only the loss of Serbian lives, but also a systematic destruction of the Serbian cultural heritage and the demolition of the churches, monasteries and other shrines of the Serbian Orthodox Church in areas in which the Serbian people has lived for centuries. This "cultural cleansing" is the most heinous crime of the eradication of historical and spiritual roots of a nation, an "ethnic cleansing" of the most hideous type. Regrettably, the destruction of cultural heritage may not be an altogether new phenomenon in the turbulent history of the Balkans; what is striking this time around, however, is that these atrocities have taken place under the auspices of the international community.

Since the deployment of the international security force (KFOR) and the United Nations Interim Administration Mission in Kosovo (UNMIK) supposedly to maintain peace, the destruction and desecration of Orthodox religious shrines in Kosovo and Metohija by ethnic Albanians has assumed added ferocity, motivated by nationalist hatred and religious intolerance. Albanian terrorists and extremists have set about destroying each and every trace of Serbian existence in these areas, irrespective of its significance as cultural heritage of a nation and of Europe as a whole. They are doing it in a deliberate and premeditated way and do not choose means: they dynamite, they bomb, they mine.

Serbian Orthodox shrines are an important part of the sacral cultural heritage of Yugoslavia. They make up one specific whole of the entire cultural heritage of the Serbian people. Most of them have been preserved by the reconstruction of much older, often ancient churches and monasteries on which the winds of war or the passage of time have taken a toll. Built to fulfil religious and cultural needs, the churches and monasteries exemplify the Serbian-Byzantine architecture of the period, as well as the presence of the Serbian people in these areas since very early times.

According to the available data, corroborated also by statements of the representatives of UNMIK, 76 Orthodox churches, chapels, monasteries and other religious shrines have been vandalized since the deployment of KFOR and UNMIK.

Serbian Orthodox churches in Prizren, Orahovac, Djakovica, Vucitrn, Samodreza, Velika Reka, Donji Zakut, Musutiste have been burned; attempts have been made to burn down the Metropolitan's residence in Pec and the Church of the Holy Saviour in Pristina; the church and gothic frescoes at Dolac, the medieval mosaics at Kijevo and the renaissance chapel of St. Nicholas and the cathedral church in Djakovica have been demolished, as well as the monastery of St. Mark at Korisa and the church at Rekovac. Over 10,000 icons and other sacral objects have been looted or destroyed. The Serbian Orthodox clergy in the monastery of Devic have been terrorized (one nun has been raped), as well as in the Church of St. Nicholas in Pristina and in the monastery at Gorioc near Istok whose nuns have been expelled. Tens of thousands of books in the Serbian language and a large number of foreign books from various arts and sciences have been burned.

The Serbian Patriarch, His Holiness Paul, warned on behalf of the Serbian Orthodox Church, the guardian of the national and cultural-historic identity of the Serbian people, of the most recent, scandalous intent of Albanian extremists to seize and appropriate the episcopal church of St. Mary of Ljeviska in Prizren and the monastery of Holy Archangels in an attempt to deny their Christian and Serbian origins and attribute them Albanian ones. The attempt to seize and appropriate the Serbian holiest shrines, rationalized by some Albanian scholars and historians, is only another form of aggression directed at the fundaments of the Serbian faith and nation.

The vandalism of Albanian terrorists and extremists is not met with appropriate measures and actions by KFOR and UNMIK, whose task is to provide effective protection and security to Serbs and Montenegrins, as well as other non-Albanians in Kosovo and Metohija. Their passivity and, by extension, complicity in the commission of the acts of vandalism increase the feelings of fear and insecurity among the Serbs and other non-Albanians and are instrumental in perpetuating their exodus from Kosovo and Methohija.

The Federal Republic of Yugoslavia has earnestly hoped that its appeals and requests to the international community to protect the cultural heritage of Kosovo and Metohija would result in a timely and effective international protection of this cultural treasure. Regrettably, such protection has failed to materialize, just as similar appeals and requests by numerous Yugoslav and international expert organizations have been met with inaction and indifference.

Bearing in mind the aforementioned, I am writing to you with a request that the Security Council take most urgent measures to protect the religious and cultural shrines of the Serbian people in Kosovo and Methohija, the testaments of its presence and identity in these areas, effectively and without delay. In order to do so, the Security Council should implement appropriate mechanisms of international protection of cultural heritage.

In particular, the Federal Republic of Yugoslavia requests that the monks and nuns and the clergy of the Serbian Orthodox Church return to their churches and monasteries and that expert teams of conservationists be allowed to access the sites, assess the damage and propose reconstruction and protection measures to save the historic, cultural and artistic heritage of Serbs in Kosovo and Metohija which is of universal significance.

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I should be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(Signed) Vladislav JOVANOVIC
Chargé d'affaires a.i.

Annex

LIST OF DESTROYED AND DESECRATED SERBIAN ORTHODOX CHURCHES IN KOSOVO AND METOHIJA (JUNE TO OCTOBER 1999)

1. Monastery of the Holy Trinity, Musutiste
2. Church of the Holy Virgin, Musutiste
3. Monastery of St. Mark, Korisa near Prizren
4. Monastery of St. Gabriel, Binac near Vitina
5. Monastery of Devic, near Srbica
6. Monastery of St. Uros, Sarenik, Gornje Nerodimlje
7. Monastery of Holy Archangels, Gornje Nerodimlje
8. Church of St. Nicholas, Donje Nerodimlje
9. Church of St. Stephen, Donje Nerodimlje
10. Church dedicated to the Entrance of St. Mary into the Temple, Dolac near Klina
11. Church of St. Nicholas, Slovinje near Lipljan
12. Church of the Holy Apostles Peter and Paul, Suva Reka
13. Church of the Holy Trinity, Petric near Pec
14. Church of the Holy Virgin, Belo Polje near Pec
15. Cathedral Church of St. Uros, Urosevac
16. Church of St. Elijah, Vucitrn
17. Church of St. John the Baptist, Samodreza near Vucitrn
18. Church of St. Paraskeva, Drsnik near Pec
19. Church of St. Mary, Naklo near Pec
20. Church of the Holy Trinity, Velika Reka near Vucitrn
21. Church of the Holy Apostles, Petrovac near Kosovska Kamenica
22. Church of St. Mary, Podgorce near Vitina
23. Church of St. John the Baptist, Pecka Banja
24. Church of St. Mary, Djurakovac near Pec
25. Church of the Holy Trinity, Djakovica
26. Church of St. Nicholas, Osojane near Pec
27. Church of St. Elijah, Bistrazin near Djakovica
28. Church of St. Demetrius, Siga near Pec
29. Parish Church of St. Nicholas, Zegra near Gnjilane
30. Church of St. Cosmas and St. Damian, Novake near Prizren
31. Church dedicated to the Entrance of St. Mary into the Temple, Veliko Krusevo
32. Monastery of Zociste and the church of St. Cosmas and St. Damian, Zociste
33. Parish Church, Grmovo near Vitina
34. Church of St. Nicholas, Kijevo near Klina
35. Church of St. Mark, Klina
36. Church of St. Nicholas, Ljubizda near Prizren
37. Church of St. Elijah, Ljubizda near Prizren
38. Church of St. Paraskeva, Dobrcane near Gnjilane
39. Cathedral Church of Christ the Saviour, Pristina
40. Church of St. Elijah, Smac near Prizren
41. Church of St. Basil the Great, Srbica near Prizren
42. Church of St. Paraskeva, Zaskok near Urosevac
43. Church of St. Nicholas, Gatnje near Urosevac
44. Church of St. Mary, Donje Nerodimlje

45. Church of St. Elijah, Nekodim near Urosevac
46. Church of St. Peter and St. Paul, Talinovac near Urosevac
47. Church of the Holy Trinity, Babljak near Urosevac
48. Church dedicated to the Birth of St. Mary, Softovic near Urosevac
49. Church of the Holy Prophet Elijah, Kacanik
50. Church of St. Mary, Korisa near Prizren
51. Church of St. Jeremiah, Grebnik near Klina
52. Church of the Holy Prince Lazar, Kos near Istok
53. Church of the Holy Trinity, Zitinje near Vitina
54. Church of St. Paraskeva, Klokot near Vitina
55. Church of St. Lazar, Belica near Istok
56. Church of the Holy Prophet Elijah, Pomazatin near Pristina
57. Church of St. George, Rudnik near Srbica
58. Church of Holy Trinity, Donja Ratisa near Decani
59. Church of the Holy Apostle Luke, Vitomirica near Pec
60. Church of St. Elijah, Podujevo
61. Church of the Holy Apostles, Gornja Pakastica near Podujevo
62. Chapel at the Serbian Cemetery, Kosovska Mitrovica
63. Church of the Holy Apostles Peter and Paul, Istok
64. Church of St. Nicholas, Prizren
65. Church of the Holy Saviour, Dvorani near Musutiste
66. Church of St. Nicholas, Lokvice near Prizren
67. Church of the Holy Prince Lazar, Piskote near Djakovica
68. Church of St. Paraskeva, Binac near Vitina
69. Church of St. Paraskeva, Gojbulja near Vucitrn
70. Church of St. Nicholas, Stimlje
71. Church of the Holy Archangel Michael, Stimlje
72. Church of the Holy Saviour, Miciceva Mahala, Prizrenski Podgor
73. Church of St. Paraskeva, near Musutiste
74. Church of the Holy Archangel, Musutiste
75. Memorial to the Battle of Kosovo
76. Church at Zakut near Podujevo

Number of destroyed and desecrated Serbian Orthodox shrines per area of responsibility:

21 USA
21 Italy
17 Germany
10 United Kingdom
7 France

UNITED
NATIONS

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General Assembly
Security Council

Distr.
GENERAL

A/54/681
S/1999/1264
20 December 1999
ENGLISH
ORIGINAL: CHINESE
AND RUSSIAN

GENERAL ASSEMBLY
Fifty-fourth session
Agenda items 10, 11, 38, 49, 67, 71
75, 76, 104, 107 and 160
REPORT OF THE SECRETARY-GENERAL ON THE
WORK OF THE ORGANIZATION
REPORT OF THE SECURITY COUNCIL
QUESTION OF EQUITABLE REPRESENTATION
ON AND INCREASE IN THE MEMBERSHIP OF
THE SECURITY COUNCIL AND RELATED MATTERS
UNITED NATIONS REFORM: MEASURES AND PROPOSALS
COMPLIANCE WITH ARMS LIMITATION AND
DISARMAMENT AND NON-PROLIFERATION AGREEMENTS
DEVELOPMENTS IN THE FIELD OF INFORMATION AND
TELECOMMUNICATIONS IN THE CONTEXT OF
INTERNATIONAL SECURITY
PREVENTION OF AN ARMS RACE IN OUTER SPACE
GENERAL AND COMPLETE DISARMAMENT
GLOBALIZATION AND INTERDEPENDENCE
CRIME PREVENTION AND CRIMINAL JUSTICE
MEASURES TO ELIMINATE INTERNATIONAL TERRORISM

SECURITY COUNCIL
Fifty-fourth year

Letter dated 17 December 1999 from the Permanent Representatives of China and the Russian Federation to the United Nations addressed to the Secretary-General

We have the honour to transmit herewith the text of the joint Chinese-Russian statement adopted on 10 December 1999 following the informal meeting between Mr. Jiang Zemin, President of the People's Republic of China and Mr. B. N. Yeltsin, President of the Russian Federation, in Beijing (see annex).

We should be grateful if you would have this letter and its annex distributed as a document of the General Assembly, under agenda items 10, 11, 38, 49, 67, 71, 75, 76, 104, 107 and 160, and of the Security Council.

(Signed) QIN Huasun
Ambassador
Permanent Representative of the
People's Republic of China
to the United Nations

(Signed) Sergei LAVROV
Ambassador
Permanent Representative of the
Russian Federation to the
United Nations

Annex

Joint Chinese-Russian statement adopted on 10 December 1999

In the course of their second informal meeting, held in Beijing on 9 and 10 December 1999, Mr. Jiang Zemin, President of the People's Republic of China, and Mr. B. N. Yeltsin, President of the Russian Federation, held an in-depth exchange of views on questions of mutual interest. Afterwards, the two heads of State adopted the following statement:

I

The two heads of State emphasize the importance and timeliness of the conclusions and assessments contained in the Russian-Chinese Joint Declaration on a Multipolar World and the Establishment of a New International Order of 23 April 1997, the joint Russian-Chinese statement of 10 November 1997, the joint statement on the results of the Russian-Chinese summit meeting on Russian-Chinese relations on the threshold of the twenty-first century, and the joint communiqué on the results of the Russian-Chinese summit meeting of 23 November 1998.

The leaders of China and the Russian Federation reaffirm that they will strictly adhere to the principled approaches to international questions set forth in the above-mentioned documents. They advocate the establishment in the twenty-first century of a multipolar world based on the Charter of the United Nations and the applicable norms of international law, the strengthening of the leading role of the United Nations in international affairs, the peaceful settlement of international disputes by political means, equitable relations among all members of the international community and equal security for all, respect for each other's choice of the path of development and each other's sovereignty, non-interference in internal affairs and the creation of a just, equitable and mutually advantageous international political and economic order. The two sides appeal to all countries of the world to make concerted efforts for the creation of a democratic and balanced multipolar world structure in which the different cultures would exist harmoniously, cooperate constructively and enrich each other, and in which the equality of all sovereign States would be ensured.

II

The two sides feel obliged to note the recent growth of unfavourable trends in the sphere of international security.

The two sides consider that the creation, in violation of the Anti-Ballistic Missile Treaty of 1972, of a national anti-ballistic-missile defence system by one of the States which signed that Treaty will have a destructive effect on strategic stability and on the entire structure of key international agreements relating to disarmament and the non-proliferation of weapons of mass

destruction and means of their delivery, and will mar prospects for achieving further progress in these directions.

The two sides reaffirm that they consider unacceptable any attempts to violate the Anti-Ballistic Missile Treaty of 1972 and emphasize that the Treaty has been and must remain a cornerstone of strategic stability. The two sides hold the view that the 1972 Treaty must be strictly and fully implemented. In this connection, the sides note in particular the importance of General Assembly resolution 54/54 A, of 1 December 1999, entitled "Preservation of and compliance with the Treaty on the Limitation of Anti-Ballistic Missile Systems", submitted by China, the Russian Federation and Belarus.

The two sides point out that the plans of certain Governments to develop a regional anti-ballistic-missile defence system are liable to undermine peace and stability in the Asia and Pacific region. The Russian side supports the position of the Chinese side to the effect that the inclusion of the Chinese province of Taiwan in these plans in any form by any Government whatsoever is unacceptable.

The two sides express deep regret over the refusal by the United States of America to ratify the Comprehensive Nuclear-Test-Ban Treaty.

The two countries stress that they share identical or similar positions on a number of key issues, and this is a major prerequisite for joint or coordinated efforts to maintain strategic stability. These key issues include the prevention of an arms race in outer space or through the use of information technology, implementation of the treaty on the Non-Proliferation of Nuclear Weapons and the Chemical Weapons Convention, the elaboration of a protocol to the Biological Weapons Convention and the drafting of an agenda for the Conference on Disarmament.

The Chinese side expresses its understanding of the position of the Russian side with regard to the further reduction of the strategic offensive weapons of the United States of America and the Russian Federation.

The two sides consider that full responsibility for the consequences of any undermining of strategic stability and international security would rest with those States which caused the collapse of fundamental agreements in the field of disarmament. The sides maintain that, in the present situation, there is a growing need for close coordination of actions in the maintenance of global strategic stability.

III

The two sides observe that certain adverse trends are increasingly discernible in international relations. These include the endeavour to foist on the international community a unipolar global structure and a single system of culture, values and ideology; attempts to weaken the role of the United Nations and its Security Council; the search for grounds to justify the irresponsible interpretation or revision of the fundamental contents and principles of the Charter of the United Nations; the strengthening and expansion of military

blocs; the replacement of international law by pressure tactics and even the resort to military force; the use of the concept which holds that "human rights take precedence over sovereignty" and of the theories of "humanitarian intervention" to infringe the sovereign rights of independent States.

The two sides express their readiness, together with other countries, to oppose such trends, which prevent the establishment of an equitable, multipolar structure of international relations.

IV

The two sides emphasize that a major priority of the foreign-policy efforts of China and the Russian Federation is the affirmation of the leading role of the United Nations in world affairs.

The two sides agree that the rational and carefully administered reform of the Organization will help to strengthen its authority and role. At the same time, the two sides express the conviction that the status and role of the Security Council, as the principal organ responsible for the maintenance of international peace and security, must under no circumstances be placed in doubt or weakened. The sides once again declare that the retention unchanged of the powers vested under the Charter in the existing permanent members of the Security Council is essential for maintaining the effectiveness and stability of the United Nations.

V

China and the Russian Federation attach great importance to their admission to membership in the World Trade Organization (WTO) under conditions that would enable them to occupy an equitable and worthy place in the world-trade system, which would be in keeping with the interests of all members of that Organization. Negotiations on the admission of China and the Russian Federation into the WTO have reached a decisive stage. The two sides consider that the WTO should be universal in character and that, with regard to the conditions for the admission of new members, a balance should be maintained between rights and obligations, with consideration also being given to their level of socio-economic development.

VI

The two sides maintain that international terrorism, religious extremism and national separatism in all its forms, as well as transnational criminal activities (such as illicit trafficking in arms, narcotic drugs and psychotropic and explosive substances, and economic offences) have now become serious threats to the security of sovereign States and to international peace and security.

The two sides reaffirm their determination to take practical, coordinated steps to combat those phenomena on both a bilateral and a multilateral basis.

VII

China and the Russian Federation express their satisfaction at the pace of implementation of the Bishkek Declaration, adopted by the heads of States members of the "Shanghai Five" (the People's Republic of China, the Republic of Kazakhstan, the Kyrgyz Republic, the Russian Federation and the Republic of Tajikistan) on 25 August 1999 (A/54/314-S/1999/942, annex). The meeting of the senior law-enforcement officials of the five States held in Bishkek on 1 and 2 December 1999 was a significant practical step in that direction. The two sides consider that the meeting of ministers of defence of the countries of the "Shanghai Five" to be held in the year 2000 will be an important step towards implementing the agreements reached by the five heads of State.

The two sides consider that the time is now ripe to begin preparations for a meeting of ministers for foreign affairs of the five States.

The sides support the idea of conducting consultations among experts of the Five on questions of multilateral economic cooperation (including cooperation in the transport field and in the extraction and transport of oil and gas). Such talks could become an important and integral part of preparations for a meeting of the heads of State of the People's Republic of China, the Republic of Kazakhstan, the Kyrgyz Republic, the Russian Federation and the Republic of Tajikistan.

VIII

The two sides underscore the need for the earliest possible resolution of the question of Iraq exclusively through political means in strict accordance with the norms of international law, in keeping with the central role of the Security Council and on the basis of the resolutions it has adopted. The resumption by Iraq of cooperation with the United Nations must be accompanied by the lifting of the economic sanctions imposed on that country.

IX

The two sides expressed serious concern about the development of the situation in and around Kosovo and the escalation of inter-ethnic tension in the region, particularly in connection with the unsatisfactory level of implementation of Security Council resolution 1244 (1999) and the growing trend towards separating Kosovo from the Federal Republic of Yugoslavia. China and the Russian Federation, as two permanent members of the Security Council, urge all interested parties to ensure the full and unconditional implementation of all provisions of resolution 1244 (1999), full respect for the sovereignty and territorial integrity of the Federal Republic of Yugoslavia, the comprehensive and consistent observance of the Charter of the United Nations and of the universally recognized principles of international law, and respect for the legitimate rights of all nationalities in the Kosovo region.

X

The two sides reaffirm their mutual support for the maintenance of each other's national unity, sovereignty and territorial integrity.

The Russian side, in supporting the important issue of the reunification of China, reaffirmed its position on the question of Taiwan set forth in earlier documents adopted jointly by the two sides, and declared that it could not accept affirmations that relations between the two sides situated on the opposing shores of the Taiwan Strait were "relations between States". The Chinese side expressed satisfaction regarding the above-mentioned position of the Russian side.

The Chinese side again declared that the Chechen problem was entirely an internal affair of the Russian Federation. The Chinese side supports the actions being taken by the Government of the Russian Federation to combat terrorist and separatist forces. The Russian side expressed satisfaction with regard to the above-mentioned position of the Chinese side.

* * *

China and the Russian Federation, in pursuance of their goal of achieving an equitable and trusting strategic partnership, and also on the basis of the convergence or similarity of their positions both on questions of principle relating to the building of a multipolar, democratic and equitable world order and on specific current international problems, will strengthen cooperation in those directions. The cooperation of the two sides in international affairs is not directed against third countries; rather, it is aimed at protecting their own fundamental national interests, but also at strengthening peace and stability in the Asia and Pacific region and throughout the world.

UNITED NATIONS **S**

Security Council

Distr.
GENERAL

S/1999/1265
20 December 1999

ORIGINAL: ENGLISH

LETTER DATED 20 DECEMBER 1999 FROM THE PERMANENT REPRESENTATIVE OF ERITREA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to forward to you the attached press statement issued today, 20 December 1999, by the Ministry of Foreign Affairs of Eritrea on the Arbitration Tribunal's decision regarding the maritime boundary between Eritrea and Yemen in the Red Sea.

I should be grateful if you would kindly circulate the text of the present letter and its annex as a document of the Security Council.

(Signed) Haile MENKERIOS
Ambassador
Permanent Representative

00-21839
99-39851 (E) 201299

/...

Annex

Press release issued on 20 December 1999 by
the Ministry of Foreign Affairs of Eritrea

Tribunal decides maritime boundary between Eritrea and Yemen
in the Red Sea to constitute median from coastlines

The Arbitration Tribunal formed to adjudicate the territorial sovereignty of islands in the Red Sea and to delimit the international maritime boundary between the two countries announced its second and final award on Friday, 17 December 1999 in London.

The Foreign Minister of Eritrea, Haile Woldense, and the Ambassador to London from Yemen, Dr. Hussein Abdullah El-Amri, received the award. The decision of the five judges of the Arbitration Tribunal was unanimous.

The main decisions of the Arbitration Tribunal in the second award constitute, inter alia:

- "That the international boundary shall be a single all-purpose boundary which is a median line and that it should, as far as practicable, be a median line between the opposite mainland coastlines". The primary consideration influencing the decision is the fact that "title over Jabal al-Tayar and the Zubayr group and over the Zuquar-Hanish group was found by the Tribunal to be indeterminate until recently". The two northern groups of islands were therefore given no maritime zones at all and the Zuquar-Hanish group was given minimal effect. Eritrea's islands were, on the other hand, all given the usual maritime zones.

- "It entitles both Eritrean and Yemeni fishermen to engage in artisanal fishing around the islands which, in its first award on sovereignty, the Tribunal attributed to Yemen. This is to be understood as including diving carried out by artisanal means for shells and pearls. Equally, these fishermen remain entitled freely to use these islands for those purposes traditionally associated with artisanal fishing - the use of islands for drying fish; for way stations, for the provision of temporary shelter and for the effecting of repairs". The Tribunal explicitly noted that "any administrative measures impacting upon these traditional rights shall be taken by Yemen with the agreement of Eritrea".

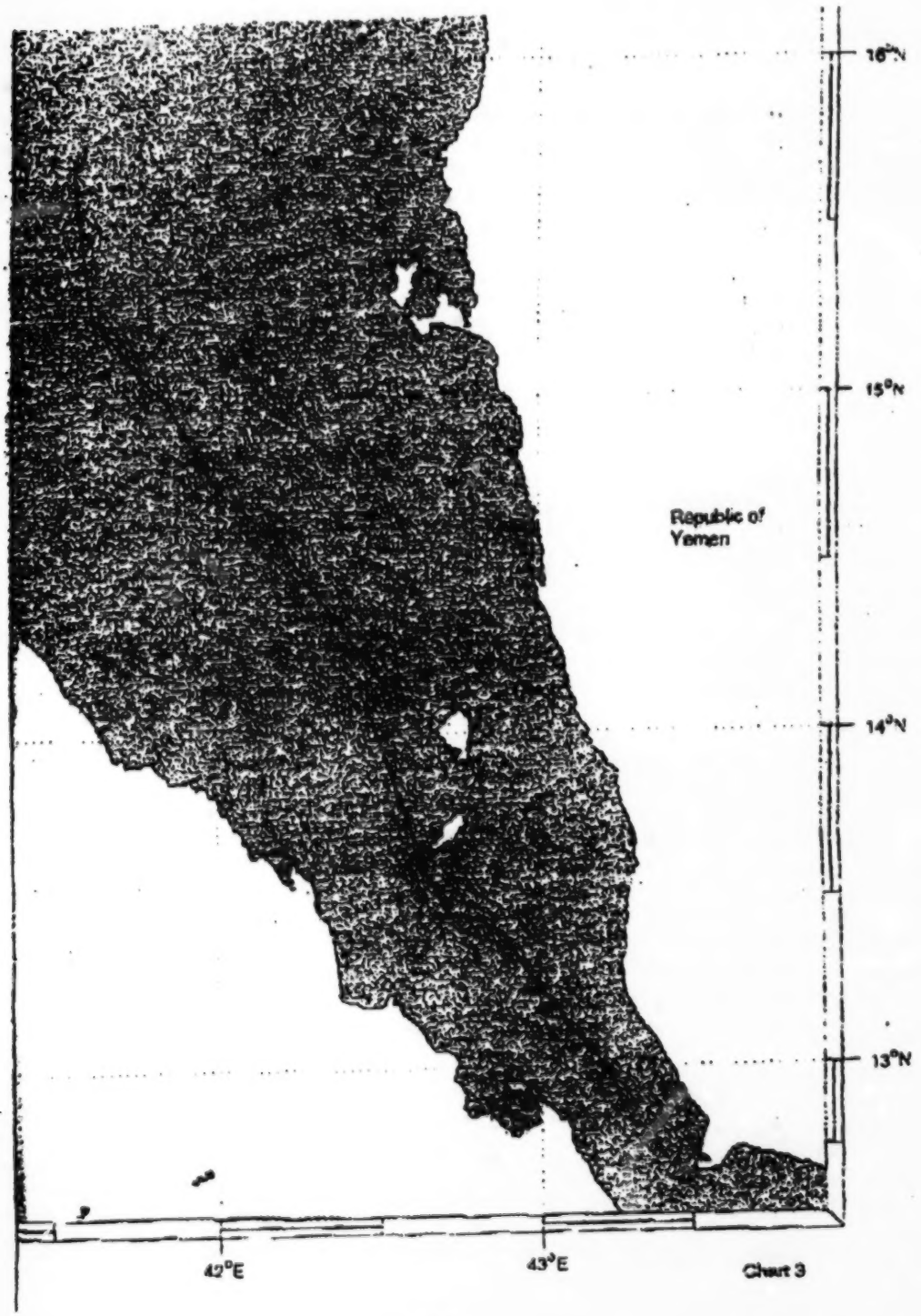
At this juncture, the Government of Eritrea wishes to underline the crucial role played by the French Government in brokering and making the Arbitration Agreement possible with remarkable competence and commitment, and expresses its gratitude for all its endeavours, including its vital contribution to confidence-building in the early days of the dispute. The Government of Eritrea also thanks the British Government for providing its good offices for the effective functioning of the Arbitration Court in its first session and the International Court of Justice for facilitating the second session of the Court.

The Government of Eritrea expresses its pleasure at the manner in which the dispute has been resolved on the basis of international law and the long-term fraternal interests of both peoples and countries. In this spirit, the Government of Eritrea expresses its deep appreciation to the Government and people of Yemen for their exemplary contribution.

The Government of Eritrea reaffirms that it will be bound by all the decisions of the Arbitration Court as it has consistently done so before and in accordance with the provisions of the Arbitration Agreement signed by both parties on 3 October 1996.

Enclosure

Map issued by Arbitration Tribunal depicting maritime boundary



UNITED
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Security Council

Distr.
GENERAL

S/1999/1266
20 December 1999

ORIGINAL: ENGLISH

LETTER DATED 17 DECEMBER 1999 FROM THE SECRETARY-GENERAL ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

Pursuant to Security Council resolution 1244 (1999), I have the honour to convey the attached report on the international security presence in Kosovo covering the period 27 October to 23 November 1999.

I should be grateful if you would bring the report to the attention of the members of the Security Council.

(Signed) Kofi A. ANNAN

00-21869
99-39886 (E) 201299

Annex

MONTHLY REPORT TO THE UNITED NATIONS ON THE OPERATIONS OF THE KOSOVO FORCE

1. Over the reporting period (27 October-23 November), troops of the Kosovo Force (KFOR) continued their deployment into the theatre. At the end of November, there were approximately 48,000 troops in place.

2. Jordan, Morocco, the United Arab Emirates and Ukraine all completed their deployments during the period. Russian deployment into the town of Orahovac continues to be hampered, despite the removal of roadblocks around the town (see para. 6 below). Efforts towards a complete resolution of the problem are under way.

Security

3. The overall level of violence within the province continued to fall, although it increased again towards the end of the reporting period. Ethnically motivated violence has increased in intensity, as demonstrated by the bomb attack on the railway bridge in Kosovoska Mitrovica on 6 November, the mortar attack in the city of Pasjane on 7 November, and the arson attack on an Orthodox church in Cornja Zakut on 8 November. Arson attacks on property, particularly houses belonging to Serbs, have also continued. The security situation for the various ethnic minorities in Kosovo remains precarious, and the protection of minorities remains one of the highest priorities of KFOR. In this regard, KFOR troops represent a permanent presence in Serb towns, villages, neighbourhoods and even in individual houses. Checkpoints and patrols are organized in key areas to provide security and instil a feeling of confidence in the community.

4. There were several acts of intimidation against KFOR troops over the reporting period, although these were largely ineffective and appeared to be the result of small groups of individuals acting independently.

5. On 21 November, a police patrol in the Federal Republic of Yugoslavia near the boundary with Kosovo was fired upon from a Serbian Special Police (MUP) boundary station within the Ground Safety Zone near the village of Prepolac, in Kosovo. Later that same day, in the same area, a Yugoslav police vehicle hit a mine that had been placed on the road. Two people were killed, and two others injured. Although there was no evidence that these attacks originated from inside Kosovo, KFOR troops intensified their normal patrolling activities in the boundary area in an effort to further enforce stability and security.

6. On 23 November, following successful negotiations initiated and supervised by the Commander of KFOR, the roadblocks surrounding Orahovac in Multinational Brigade (MNB) South were removed. However, the deployment of Russian troops into the area continues to be hampered.

7. KFOR continues to work closely with the United Nations Mine Action Coordination Centre (UNMACC) and other demining organizations in Kosovo, and increased efforts in mine awareness training have resulted in fewer mine

incidents. The focus of KFOR remains on eradicating the threat posed by Cluster Bomb Units (CBUs) and on clearing border-crossing sites. Residual caches of weapons continue to be discovered and confiscated throughout the area of operations. KFOR began the destruction of confiscated weapons on 15 October.

Cooperation and compliance by the parties

8. Over the reporting period, the provisional Kosovo Protection Corps (KPC), which came into being on 21 September, remained in broad compliance with the "Undertaking of the demilitarization and transformation of the UCK". The KPC, which will be a multi-ethnic civil emergency body, with no law enforcement role, completed its 60-day transition phase on 21 November. It still has only one official member, the designated Commander, Mr. Ceku. The final phase of the selection procedure for KPC members began on 22 November. Although a small number of minorities have applied, to date, there have been no Serb applications to join KPC.

9. On 12 November, the Commander of KFOR finalized the instructions for compliance for the provisional KPC and communicated these to its commander. These instructions cover the issuance of weapon authority cards to a limited number of KPC members, and describe how weapon cards, ID cards, uniforms, insignia and vehicles should be used.

10. Serb security forces continue to comply with the terms of the military-technical agreement and in general remain cooperative in their dealings with KFOR. Yugoslav Army units have been operating in the south of Yugoslavia near the Ground Safety Zone, but this is assessed as normal seasonal training, which will conclude with the onset of winter.

Cooperation with international organizations

11. KFOR continues to provide humanitarian assistance throughout Kosovo on a daily basis, focusing on transportation, food distribution and the protection and escorting of refugees and internally displaced persons. Increased KFOR support has been provided to the United Nations Interim Administration Mission in Kosovo (UNMIK) and the Office of the United Nations High Commissioner for Refugees (UNHCR) in order to accelerate the delivery of shelter material to regional warehouses.

12. As of 23 November, the UNMIK police force numbered 1,809 persons. Responsibility for public security operations has been transferred from KFOR to UNMIK police in Pristina, Prizren and Mitrovica, although KFOR still provides troops for joint patrols. In addition, KFOR troops continue to patrol in all major urban areas and in the countryside in order to deter crime and instil a sense of personal safety in the population. KFOR also provides daily support to the Kosovo Police School, whose first graduates are now conducting on-the-job training with UNMIK police.

13. KFOR continues to provide 24-hour control and monitoring on the authorized border-crossing points with Albania and the former Yugoslav Republic of Macedonia,[1] and provides security for the transportation to Pristina of the

customs duties collected at the border. KFOR will continue to attach high priority to monitoring cross-border movements into Kosovo.

14. KFOR continues to support UNMIK at all levels of the civil administration in Kosovo and is represented at the Kosovo Transitional Council and the joint civil commissions.

15. With respect to infrastructure, KFOR troops are still involved in such tasks as securing water supplies, power plant operations and manning fire engines. Commercial flights into Pristina were suspended on 20 November in response to an interim recommendation by the French Air Accident Investigation Board investigating the crash of the World Food Programme ATR-42 aircraft on 17 November.

Return of refugees and displaced persons

16. During the month of October, 4,000 refugee returns were organized, mainly from countries outside the Balkans.

Outlook

17. There has been no significant change in the security situation in Kosovo since the last report. Attacks against ethnic minorities continue to give cause for concern, and the potential exists for tension to escalate in areas of confrontation between the Albanian and Serb communities, such as Mitrovica. KFOR will continue to work in close cooperation with UNMIK to address these issues in order to maintain peace and stability.

Notes

[1] Turkey recognizes the Republic of Macedonia with its constitutional name.

UNITED NATIONS **S**

Security Council

Distr.
GENERAL

S/1999/1267
20 December 1999
ENGLISH
ORIGINAL: ARABIC

IDENTICAL LETTERS DATED 19 DECEMBER 1999 FROM THE PERMANENT REPRESENTATIVE OF IRAQ TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL AND TO THE PRESIDENT OF THE SECURITY COUNCIL

On instructions from my Government, I have the honour to inform you that, between 8 and 15 December 1999, United States and British aircraft, taking off from their bases in Saudi Arabia, Kuwait and Turkey, continued to violate Iraqi airspace, carrying out acts of aggression, observation and provocation, as specified in the list annexed hereto.

I should be grateful if you would intervene with the United States of America, the United Kingdom and the States which are providing them with facilities in order to commit these acts of aggression, namely, Saudi Arabia, Kuwait and Turkey, with a view to halting such acts, which infringe the sovereignty and territorial integrity of the Republic of Iraq and constitute blatant violations of the Charter of the United Nations and the rules of international law.

These acts continue to cause hundreds of deaths and injuries among the civilian population and material damage to private and public property. The logistical support provided by Saudi Arabia, Kuwait and Turkey to the Americans and the British makes those countries essential accomplices in the aggression against Iraq, and they therefore bear international responsibility for these acts. The Republic of Iraq reaffirms its right to demand reparation for the harm inflicted on the Iraqi people through the aforementioned acts.

I should be grateful if you would have this letter and its annex circulated as a document of the Security Council.

(Signed) Saeed H. HASAN
Ambassador
Permanent Representative

00-21897
99-39909 (E) 211299 211299

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Annex

Details of violations of Iraq's airspace by United States and British aircraft and damage caused, 8-15 December 1999

1. In the northern region 46 sorties were flown at speeds of 720 to 780 kilometres per hour and at altitudes of 6,000 to 12,000 metres. Details are given below:

(a) At 1305 hours on 10 December 1999 United States and British F-15 aircraft coming from Turkish territory violated Iraq's airspace in the northern region. They were supported by an AWACS command and control aircraft from inside Turkish airspace. The aircraft carried out six sorties and overflew the Amadiyah and Zakho areas. Our air defences, acting in self-defence, engaged the aircraft and, at 1312 hours, drove them off.

(b) At 1047 hours on 12 December 1999 United States and British F-15, F-16, Tornado and EA-6B aircraft coming from Turkish territory violated Iraq's airspace in the northern region. They were supported by an AWACS command and control aircraft from inside Turkish airspace. The aircraft carried out 14 sorties and overflew the Zakho, Dohuk, Amadiyah, Ayn Zalah, Tall Afar, Mosul, Aqrah, Irbil and Rawanduz south areas. Our air defences, acting in self-defence, engaged the aircraft and, at 1345 hours, drove them off.

(c) At 1050 hours on 13 December 1999 United States and British F-14, F-15, F-16, Tornado and EA-6B aircraft coming from Turkish territory violated Iraq's airspace in the northern region. They were supported by an AWACS command and control aircraft from inside Turkish airspace. The aircraft carried out 10 sorties and overflew the Amadiyah, Dohuk, Zakho, Ayn Zalah, Aqrah and Mosul areas. Our air defences, acting in self-defence, engaged the aircraft and, at 1100 hours, drove them off.

(d) At 1115 hours on 14 December 1999 United States and British F-14, F-15, F-16, Tornado and EA-6B aircraft coming from Turkish territory violated Iraq's airspace in the northern region. They were supported by an AWACS command and control aircraft from inside Turkish airspace. The aircraft carried out 16 sorties and overflew the Mosul, Dohuk, Tall Afar, Irbil, Aqrah, Amadiyah and Zakho areas. Our air defences, acting in self-defence, engaged the aircraft and, at 1410 hours, drove them off.

2. In the southern region 253 sorties were flown at speeds of 720 to 780 kilometres per hour and at altitudes of 9,000 to 13,000 metres. Details are given below:

(a) At 1230 hours on 8 December 1999 United States and British F-14, F-15, F-18, Tornado and EA-6B aircraft coming from Saudi and Kuwaiti territory violated Iraqi airspace in the southern region. The aircraft carried out 62 sorties, 26 from Saudi territory, supported by an AWACS command and control

aircraft from inside Saudi airspace, and 36 from Kuwaiti territory, supported by an E-2C command and control aircraft from inside Kuwaiti airspace. They overflew the Samawah, Salman, Basra, Najaf, Amarah, Nasiriyah, Jalibah, Artawi, Busayyah and Qurnah areas. Our air defences, acting in self-defence, engaged the aircraft and, at 1505 hours, drove them off.

(b) At 1143 hours on 9 December 1999 United States and British F-14, F-15, F-18, Tornado and EA-6B aircraft coming from Saudi and Kuwaiti territory violated Iraqi airspace in the southern region. The aircraft carried out 48 sorties, 14 from Saudi territory, supported by an AWACS command and control aircraft from inside Saudi airspace, and 34 from Kuwaiti territory, supported by an E-2C command and control aircraft from inside Kuwaiti airspace. They overflew the Nasiriyah, Samawah, Amarah, Basra, Qurnah, Qal'at Salih, Artawi, Busayyah, Rifa'i and Rumaythah areas. Our air defences, acting in self-defence, engaged the aircraft and, at 1320 hours, drove them off.

(c) At 1035 hours on 12 December 1999 United States and British F-14, F-15, F-16, F-18, Tornado and EA-6B aircraft coming from Saudi and Kuwaiti territory violated Iraqi airspace in the southern region. The aircraft carried out 22 sorties, 14 from Saudi territory, supported by an AWACS command and control aircraft from inside Saudi airspace, and 8 from Kuwaiti territory, supported by an E-2C command and control aircraft from inside Kuwaiti airspace. They overflew the Nasiriyah, Samawah, Lasaf, Jalibah, Busayyah, Shinafiyah, Qal'at Sukkar and Salman areas. Our air defences, acting in self-defence, engaged the aircraft and, at 1135 hours, drove them off.

(d) At 1010 hours on 13 December 1999 United States and British F-14, F-15, F-16, F-18, Tornado and EA-6B aircraft coming from Saudi and Kuwaiti territory violated Iraqi airspace in the southern region. The aircraft carried out 34 sorties, 6 from Saudi territory, supported by an AWACS command and control aircraft from inside Saudi airspace, and 28 from Kuwaiti territory, supported by an E-2C command and control aircraft from inside Kuwaiti airspace. They overflew the Artawi, Busayyah, Nasiriyah, Shatrah, Jalibah, Rifa'i, Basra, Rumaythah, Qal'at Sukkar, Salman, Qurnah, Amarah, Qal'at Salih, Shinafiyah and Samawah areas. Our air defences, acting in self-defence, engaged the aircraft and, at 1145 hours, drove them off.

(e) At 1310 hours on 14 December 1999 United States and British F-14, F-15, F-16, F-18, Tornado and EA-6B aircraft coming from Saudi and Kuwaiti territory violated Iraqi airspace in the southern region. The aircraft carried out 59 sorties, 37 from Saudi territory, supported by an AWACS command and control aircraft from inside Saudi airspace, and 22 from Kuwaiti territory, supported by an E-2C command and control aircraft from inside Kuwaiti airspace. They overflew the Nasiriyah, Samawah, Salman, Basra, Najaf, Jalibah, Shatrah, Rifa'i, Diwaniyah south, Shinafiyah and Lasaf areas. Our air defences, acting in self-defence, engaged the aircraft and at 2015 hours, drove them off.

(f) At 1305 hours on 15 December 1999 United States and British F-14, F-15, F-16, F-18, Tornado and EA-6B aircraft coming from Saudi and Kuwaiti territory violated Iraqi airspace in the southern region. The aircraft carried out 28 sorties, 12 from Saudi territory, supported by an AWACS command and control aircraft from inside Saudi airspace, and 16 from Kuwaiti territory, supported by an E-2C command and control aircraft from inside Kuwaiti airspace. They overflew the Nasiriyah, Basra, Qurnah, Salman, Diwaniyah, Samawah, Afak, Amarah, Ushbayjah and Artawi areas. Our air defences, acting in self-defence, engaged the aircraft and, at 1500 hours, drove them off.

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Security Council

Distr.
GENERAL

S/1999/1268
20 December 1999

ORIGINAL: ENGLISH

LETTER DATED 20 DECEMBER 1999 FROM THE SECRETARY-GENERAL ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to convey the attached communication, dated 17 December 1999, from Dr. Mohamed ElBaradei, Director General of the International Atomic Energy Agency (see annex).

I should be grateful if you would bring it to the attention of the members of the Security Council.

(Signed) Kofi A. ANNAN

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Annex

Letter dated 17 December 1999 from the Director General of the International Atomic Energy Agency addressed to the Secretary-General

As you will recall, in its presidential statement of 4 November 1994 (S/PRST/1994/64), regarding the Democratic People's Republic of Korea (DPRK), the Security Council, inter alia, requested the International Atomic Energy Agency (IAEA) "to continue to report to it on the implementation of the Safeguards Agreement". In this regard, I enclose a copy of my written report about the DPRK (dated 25 August 1999) submitted to the General Conference of IAEA at its forty-third regular session (see enclosure I) and of resolution GC(43)/Res/3, adopted by the Conference on 1 October 1999 (see enclosure II).

Since my letter to you of 9 October 1998 (see S/1998/940), the Agency has continued to monitor the freeze of the DPRK's graphite moderated reactors and related facilities foreseen in the Agreed Framework of October 1994 between the DPRK and the United States of America. The DPRK continues to accept Agency activities solely within the context of the Agreed Framework and not under its Safeguards Agreement with the Agency, which, as you know, is binding and remains in force.

Two further rounds of technical discussions between IAEA and the DPRK were held between my letter to you of October last year and this year's General Conference, namely, from 5 to 8 October 1998 in Vienna and from 10 to 12 March 1999 in Pyongyang. Unfortunately, however, no progress was made on important issues relevant to the DPRK's compliance with its Safeguards Agreement, including those identified in my letter of 9 October 1998, such as the preservation of information required in connection with Agency verification of the accuracy and completeness of the DPRK's initial declaration. I have made clear to the Agency Board of Governors that, unless such information is preserved in a verifiable manner, it will be difficult, if not impossible, for the Agency to verify the DPRK's compliance with its Safeguards Agreement.

At meetings of the Board of Governors throughout the year, I have reported the continuing lack of progress over key issues. At the meeting on 7 June 1999, I also noted that the Agency's Safeguards Implementation Report for 1998 recorded the continuing inability of the Agency to verify the correctness and completeness of the DPRK's initial declaration of nuclear material and, therefore, our inability to conclude that there has been no diversion of nuclear material.

In the light of the information available at that time, and of my report to this year's General Conference, the Conference adopted resolution GC(43)/Res/3. This, in keeping with previous resolutions, expressed the deep concern of the Conference about the continuing non-compliance of the DPRK with its Safeguards Agreement, urged the DPRK to cooperate fully with the Agency in the implementation of that agreement, and also to take all steps the Agency may deem necessary to preserve all information relevant to verifying the accuracy and completeness of the DPRK's initial report.

We have just completed the thirteenth round of technical discussions with the DPRK. They took place in Vienna from 13 to 16 December. During the meeting, little tangible progress was made on some of the key issues related to the preservation of information and to day-to-day activities related to the monitoring of the freeze.

I should be grateful if you would bring the text of the present letter and its enclosures to the attention of the Security Council, to which I will continue to report developments.

(Signed) Mohamed ELBARADEI

Enclosure I

IMPLEMENTATION OF THE AGREEMENT BETWEEN THE AGENCY AND THE DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA FOR THE APPLICATION OF SAFEGUARDS IN CONNECTION WITH THE TREATY ON THE NON-PROLIFERATION OF NUCLEAR WEAPONS

Report by the Director General to the General Conference

1. In resolution GC(42)/RES/2 of 25 September 1998, the General Conference, inter alia, decided to include in the agenda for its forty-third regular session an item entitled:

> *"Implementation of the agreement between the Agency and the Democratic People's Republic of Korea for the application of safeguards in connection with the Treaty on the Non-Proliferation of Nuclear Weapons."*

This report is prepared to provide information to the General Conference in its consideration of this item of its agenda.

THE SITUATION PREVAILING AT THE TIME OF THE FORTY-SECOND REGULAR SESSION OF THE GENERAL CONFERENCE

2. The Director General's report to the General Conference in 1998, in document GC(42)/16 of 26 August 1998, recorded continuing lack of progress on a number of important issues which have remained outstanding since the Agency started to implement monitoring of the freeze on the DPRK's graphite moderated reactors and related facilities in November 1994. Such issues include the preservation of information required for verifying the accuracy and completeness of the DPRK's initial declaration under its Safeguards Agreement (INFCIRC/403); its refusal to accept certain safeguards measures at its reprocessing plant; and limitations imposed by the DPRK on inspector access to technical support buildings subject to the freeze. The Director General's report also noted the conclusion in the Safeguards Implementation Report (SIR) for 1997 with regard to the DPRK and explained the situation with regard to the canning of spent fuel rods at the Experimental Power Reactor, including the intention to reduce the continuous presence of Agency inspectors from three to two inspectors when the canning operation had been completed. The overall conclusion in the Director General's report was that co-operation from the DPRK side remained limited and continued to be linked to the DPRK's perception of progress in implementing the Agreed Framework between the DPRK and the United States.

3. In the light of the lack of progress on important issues and of the Director General's report in document GC(42)/16, the General Conference adopted resolution GC(42)/RES/2 which, inter alia, expressed concern over the continuing non-compliance of the DPRK with its Safeguards Agreement, called upon the DPRK to comply with the Agreement and urged the DPRK to take all steps that the Agency may deem necessary to preserve all information relevant to verifying the accuracy and completeness of the DPRK's initial report.

DEVELOPMENTS SINCE THE FORTY-SECOND REGULAR SESSION OF THE GENERAL CONFERENCE

4. Since last year's General Conference, the Agency has continued to monitor the freeze. However, toAs of the date of this report there have been no new developments to changealter the assessments givenprovided to the Board by the Director General in November 1998, March 1999 and June 1999. 11. CCo-operation from the DPRK side remains still limited. The tTechnical discussions have enabled to resolve some day-to-day problems to be resolved,and the DPRK has agreed to the designation of additional inspectors. for example, the first part of the integrated monitoring system on the mixer-settler motors at the reprocessing plant has been installed to monitor any operation of the mixer-settlers. However, t. The present surveillance systems will be replaced with digital surveillance in 1999. he DPRK still needs to provide the required inspector access to certain technical buildings at the 5 MW(e) Experimental Power Reactor so that the Agency can verify the scope of operations there. Additionally, the DPRK still refuses to accept other measures at the reprocessing plant, such as the sealing of parts of processes; the installation of the Agency monitoring equipment for liquid nuclear wastes; or any sampling or measurement at any location to ensure that there have been no operations at the plant. The DPRK also continues to refuse to enable the Agency to take measurements for assessing the total amount of plutonium in the spent fuel rods of the 5 MW(e) Experimental Power Reactor and to decline sampling of graphite blocks for the 50 MW(e) reactor which could confirm whether the graphite presented is of nuclear grade and hence a key component of the reactor subject to the freeze.

5. Two more rounds of technical discussions with the DPRK have taken place since last year's General Conference: on 5-8 October 1998 in Vienna and on 10-12 March 1999 in Pyongyang. In September 1995 the IAEA gave the DPRK its requirements for the preservation of information required by the IAEA to verify the correctness and completeness of the initial DPRK declaration. At the eleventh round of discussions in October 1998, the DPRK tabled a revised version of its own list, giving titles, the time periods covered and brief descriptions of the contents of documents which, in the DPRK view, should be preserved with regard to the facilities subject and not subject to the freeze. However, the DPRK paper did not include any proposals with regard to methods of preservation and does not include preservation of information other than records.

6. Referring to these and related developments at At the meeting of the Board of Governors on 25 November 1998, the Director General noted that, since 1995, there had been no positive results either to Agencyour efforts to obtain access to the information which itthe Agency deems necessary to preserve to enable it to verify in the future, in relation to the accuracy and completeness of the DPRK's initial declaration, orand to reach agreement on methods for preserving such information intacton the measures required for its preservation. The Director General made clear that, uUnless such information is preserved in a verifiable manner, it will be difficult, if not impossible, for the Agency to verify in the future, the DPRK's compliance with its Safeguards Agreement. The General Conference will recall thatand that under the Agreed Framework between the DPRK and the United States of America, such verification of compliance is necessary under the Agreed Framework before any key nuclear components of the light water reactors foreseen in that document can be delivered.

7. At theThe twelfth round of technical talks in March 1999, dlt was decided to continue discussions continuedat working level about the records which are part of the information to be preserved in connection with verifying the initial declaration,. although tThe Agency's study of the DPRK paper of, dated October 1998, and IAEA-DPRK and preceding working group discussions had confirmed that, from the Agency's point of view, the list does not include all the documents which need to be preserved in respect of for facilities subject and not subject to the freeze.

8. During the visit to Nyongbyon on 11 March 1999, the Agency alsotechnical visit it was concluded that, in view of theremaining fact that the canning operation and remaining related activities at the 5 MW(e) Experimental Power Reactor are nearing completion, the number of Agency inspectors continuously present in Nyongbyon could be reduced from three inspect ors to two. No tangible progress was made with regard to in any of long outstanding and important issues. The DPRK continues to link progress to the implementation of the Agreed Framework.

9. At the meeting of the Board of Governors on 7 June 1999, the Director General reported again that there hadve been no positive developments developments to any of the long outstanding issues since the March 1999 Board Meeting. meeting and continues to permanent He also noted that the Safeguards Implementation Report (SIR) for 1998 records, inter alia, the Secretariat's continuing inability to verify the DPRK's initial inventory declaration, and hence to draw conclusions about the non-diversion of nuclear material, and that the DPRK remains in non-compliance with its Safeguards Agreement.

10. The fundamental difference of view between the Agency and the DPRK about the status of the DPRK's Safeguards Agreement remains unchanged. The Agency regards the Safeguards Agreement as binding and in force. The DPRK does not accept all the measures required under the Safeguards Agreement but in practice it accepts ad hoc and routine inspections at facilities not subject to the freeze without major difficulties.

11. At a time when the canning operation at the 5 MW(e) Experimental Power Reactor is nearing completion, and as the time envisaged under the Agreed Framework for the delivery of key nuclear components of the LWR project draws nearer, the Secretariat will be focusing on the preparatory work required for verification of the correctness and completeness of DPRK's initial declaration. From its past experience of such verification activities, the Secretariat assesses that this process will take some time. It will require full cooperation on the part of the DPRK. The Director General hopes the DPRK will come into full compliance with its Safeguards Agreement as early as possible.

Enclosure II

IMPLEMENTATION OF THE AGREEMENT BETWEEN THE AGENCY AND THE DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA FOR THE APPLICATION OF SAFEGUARDS IN CONNECTION WITH THE TREATY ON THE NON-PROLIFERATION OF NUCLEAR WEAPONS

Resolution GC(43)/Res/3 adopted on 1 October 1999 during the ninth plenary meeting

The General Conference,

(a) *Recalling* the Board of Governors' resolutions GOV/2636 of 25 February 1993, GOV/2639 of 18 March 1993, GOV/2645 of 1 April 1993, GOV/2692 of 23 September 1993, GOV/2711 of 21 March 1994 and GOV/2742 of 10 June 1994 and General Conference resolutions GC(XXXVII)/RES/624 of 1 October 1993, GC(XXXVIII)/RES/16 of 23 September 1994, GC(39)/RES/3 of 22 September 1995, GC(40)/RES/4 of 20 September 1996, GC(41)/RES/22 of 3 October 1997 and GC(42)/RES/2 of 25 September 1998,

(b) *Noting* with concern the lack of progress reflected in the Director General's report contained in document GC(43)/23,

(c) *Recalling further* resolution 825 (1993) adopted by the Security Council of the United Nations on 11 May 1993 and 31 March 1994, 30 May 1994 and 4 November 1994 statements by the President of the United Nations Security Council, particularly the request to take all steps the Agency may deem necessary to verify full compliance by the Democratic People's Republic of Korea (DPRK) with its safeguards agreement with the Agency,

(d) *Noting* that the DPRK has decided to remain a party to the Treaty on the Non-Proliferation of Nuclear Weapons and *reaffirming* that the IAEA-DPRK safeguards agreement (INFCIRC/403) under the Treaty remains binding and in force,

(e) *Noting also* the stated intention of the DPRK to come into full compliance with the safeguards agreement and the continuing IAEA-DPRK discussions on outstanding safeguards issues,

(f) *Noting* with regret that in these discussions no progress has been made on important issues such as the preservation of information, and

(g) *Regretting* the withdrawal of the DPRK from the Agency and *expressing the hope* that the DPRK will rejoin,

1. *Strongly endorses* actions taken by the Board of Governors and *commends* the Director General and the Secretariat for their impartial efforts to implement the IAEA-DPRK safeguards agreement;

2. *Recognizes* the important role of the IAEA in monitoring the freeze of nuclear facilities in the DPRK and *commends* the Secretariat for its continuous efforts to monitor the freeze of specified facilities in the DPRK as requested by the United Nations Security Council;

3. *Expresses* deep concern over the continuing non-compliance of the DPRK with the IAEA-DPRK safeguards agreement, in spite of repeated calls by the international community for such compliance, and *calls upon* the DPRK to comply fully with that safeguards agreement;

4. *Urges* the DPRK to co-operate fully with the Agency in the implementation of the safeguards agreement and to take all steps the Agency may deem necessary to preserve all information relevant to verifying the accuracy and completeness of the DPRK's initial report on the inventory of nuclear material subject to safeguards until the DPRK comes into full compliance with its safeguards agreement; and

5. *Decides* to remain seized of this matter and include in the agenda for its forty-fourth regular session an item entitled "Implementation of the agreement between the Agency and the Democratic People's Republic of Korea for the application of safeguards in connection with the Treaty on the Non-Proliferation of Nuclear Weapons".

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Security Council

Distr.
GENERAL

S/1999/1269
21 December 1999

ORIGINAL: ENGLISH

LETTER DATED 20 DECEMBER 1999 FROM THE CHARGÉ D'AFFAIRES A.I.
OF THE PERMANENT MISSION OF YUGOSLAVIA TO THE UNITED NATIONS
ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have been instructed by my Government to lodge a protest regarding the terrorist attack, on 17 December 1999, on a café in Orahovac, Kosovo and Metohija, the autonomous province of the Yugoslav constituent Republic of Serbia. Using automatic weapons and bombs, terrorists killed Zoran Vukicevic, the owner of the café and wounded nine other persons, three of them seriously.

This attack is further proof of the escalation of the organized terrorist activities of Albanian extremists, whose main goal is ethnically to cleanse Serbs and other non-Albanians from Kosovo and Metohija.

The attack occurred in a village supposedly under the complete control of the Kosovo Force. Regrettably, the Kosovo Force has failed to carry out its basic duty once again and protect the civilian population and ensure the public safety and order, as stipulated by Security Council resolution 1244 (1999).

The Government of the Federal Republic of Yugoslavia demands that the perpetrators of this terrorist attack be urgently identified and brought to justice and that the Kosovo Force fully implement its obligations in accordance with Security Council resolution 1244 (1999).

I should be grateful if you would have the present letter circulated as a document of the Security Council.

(Signed) Vladislav JOVANOVIC
Chargé d'affaires a.i.

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99-40013 (E) 211299

UNITED
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Security Council

Distr.
GENERAL

S/1999/1270
21 December 1999

ORIGINAL: ENGLISH

LETTER DATED 20 DECEMBER 1999 FROM THE PERMANENT REPRESENTATIVE OF UGANDA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

On instructions from my Government, I have the honour to inform you of the positive developments which have taken place between Uganda and the Sudan, resulting in an agreement facilitated by the Carter Center and President Daniel arap Moi of Kenya (see annex). The agreement was signed by President Museveni of Uganda and President Bashir of the Sudan.

I should be grateful if you would circulate the present letter and its annex as a document of the Security Council.

(Signed) Semakula KIWANUKA
Ambassador Extraordinary and
Plenipotentiary,
Permanent Representative of
Uganda to the United Nations

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99-40019 (E) 221299

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Annex

Uganda and the Sudan sign agreement, 8 December 1999

President Yoweri Museveni of Uganda and President Omar al Bashir of the Sudan have agreed on the steps to be taken to re-establish relations between their two countries and to work towards promoting peace in the region.

The two leaders today signed an agreement in Nairobi in which they committed their countries to make every effort to disband and disarm terrorist groups that may be operating in their respective countries.

The two leaders signed the agreement today at State House, Nairobi, after a day's talks held to discuss the problems between Uganda and the Sudan and possible solutions. The talks were organized by the Carter Center, a non-governmental organization that promotes peace and health worldwide. The signing of the agreement was witnessed by President Daniel arap Moi of Kenya and former United States President Jimmy Carter, who is also the chairman of the Carter Center.

According to the agreement, Uganda and the Sudan committed themselves to renouncing the use of force to resolve differences and to taking steps to prevent any hostile actions against each other. They agreed to prevent any acts of terrorism or hostile actions that might originate in their respective territories that might endanger the security of the other country. They further agreed not to harbour, sponsor or give military or logistical support to any rebel groups, opposition groups or hostile elements from each other's territory. The two countries will also refrain from hostile or negative propaganda campaigns against each other and would return all prisoners of war to their respective nations.

The two leaders condemned any abuse or injury of innocent civilians and said they would make a special effort to locate any abductees, especially children abducted in the past, and return them to their families. They committed themselves to cooperating fully in the search for and rescue of the victims, starting immediately with those who can be identified, and will offer amnesty and reintegration assistance to all former combatants who renounce the use of force.

The two leaders expressed their desire to re-establish relations between their two countries if all the terms of the agreement are honoured satisfactorily. They therefore agreed to open, within a month, offices in Kampala and Khartoum and place there junior diplomatic personnel, following which ambassadors will be exchanged and full diplomatic relations restored by the end of February 2000.

In addition, as soon as is practical, the two countries will establish a joint ministerial committee, with at least three subcommittees, to deal with political, security and humanitarian issues.

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Distr.
GENERAL

S/1999/1271
21 December 1999
ENGLISH
ORIGINAL: ARABIC

LETTER DATED 20 DECEMBER 1999 FROM THE PERMANENT REPRESENTATIVE OF IRAQ TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

On instructions from my Government, I have the honour to notify you of continued violations of the ceasefire resolution and the Tehran agreement concerning the area of separation between Iraq and Iran that were committed by the Iranian side between 5 October and 27 November 1999, as shown in the list annexed hereto.

I should be grateful if you would have this letter and its annex circulated as a document of the Security Council.

(Signed) Saeed H. HASAN
Ambassador
Permanent Representative

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99-40007 (E) 221299 221299

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Annex

Iranian violations of the ceasefire and the 1991 Tehran agreement, 5 October-27 November 1999

1. 5 October 1999

At 1800 hours two Iranians wearing military uniforms fired rounds from a GC rifle towards the Sayhah guard post at coordinates 9763 and the Arfan guard post at coordinates 9895, both of which are close to the border line.

2. 9 October 1999

At 1045 hours an Iranian helicopter was seen in the border strip opposite the Karmishiyah guard post at coordinates 1046, flying in the direction of the Iranian interior. At 1550 hours a military helicopter was seen flying along the border strip between the Ta'an guard post at coordinates 31657 and the Iranian guard posts.

3. 9 October 1999

At 1110 hours an Iranian helicopter coming from the Iranian interior was seen opposite coordinates 5939. Keeping two kilometres inside Iranian territory, it flew north at low altitude, following the border line. At 1120 hours it returned to the Iranian interior.

4. 12 October 1999

At 1050 hours a military helicopter was seen flying towards Khosrowabad from Abadan. It overflew the Shatt al-Arab before returning in the opposite direction at 1105 hours.

5. 12 October 1999

At 1020 hours two khaki-coloured Iranian helicopters were seen at coordinates 103818 approaching from behind the chain of hills in the Iranian interior. They flew around on the Iranian side of the border line for a period of 10 minutes.

6. 13-15 October 1999

The Iranian side installed metal posts and constructed observation posts at coordinates 283686 south of the Karun river at coordinates 289678, opposite the Munkat'ah and Mutaww'ah areas at coordinates 296666 (1:100,000 map of Saybah). They used a pontoon carrying seven persons, tugs and patrol boats.

7. 18 October 1999

At 1700 hours the Iranian side erected six 80-pound tents around the Iranian guard post opposite the Shahabi post at coordinates 3543.

8. 24 October 1999

At 1630 hours the Iranian side fired GC rifle rounds from the observation tower opposite our units at coordinates 9372.

9. 2 November 1999

At 1245 hours a helicopter was observed three kilometres inside Iranian airspace opposite our units at coordinates 5539, flying at low altitude along the border towards the north. At 1255 hours the helicopter returned to the Iranian interior.

10. 3 November 1999

At 1000 hours an Iranian helicopter was observed flying at an altitude of 250 metres in the Shayb area one kilometre from the border line. At 1015 hours the helicopter returned to the Iranian interior.

11. 3 November 1999

At 1000 hours armed Iranian military personnel in modern vehicles were observed on the road to the Zayn-Qaws junction.

12. 7 November 1999

At 0900 hours the Iranian side, using a Kaz-66 vehicle, moved blocks in two stages to the Qort Sadaf area along the Wand river at coordinates 4901 inside Iranian territory.

13. 11 November 1999

At 0900 hours a group of six Iranian personnel were seen working on post No. 378 at coordinates 5297 (1:100,000 map of Kani Baz). They worked throughout the day and stopped work at nightfall.

14. 11 November 1999

At 0610 hours the Iranian side sent reinforcements to post No. 378 at coordinates 525974 and demanded that Iraqi units should leave the area, claiming that it was Iranian territory.

15. 11 November 1999

At 0530 hours a sizeable infantry force was observed seizing post No. 378. The operation was concluded at 0600 hours.

16. 14 November 1999

At 0845 hours a helicopter was observed flying from the Iranian interior. It landed at the Shush border post at coordinates 657276, in the area opposite the Wahab border post at coordinates 2126. At 0905 it returned by the same route to the Iranian interior.

17. 21 November 1999

At 1530 hours a camouflaged helicopter was observed opposite Shihabi guard post at coordinates 1081, flying along the border strip inside Iranian territory in the direction of the city of Mehran. At 1540 hours the helicopter returned to the Iranian interior.

18. 21 November 1999

At 1030 hours four Iranian soldiers were observed using reinforced materials (corrugated iron) to build two new guard posts between the Iranian posts of Natkab at coordinates 5399 and Tappeh at coordinates 5495 (1:100,000 map of Kani Baz) along the border strip inside Iranian territory.

19. 22 November 1999

At 0905 hours an Iranian aircraft was observed flying along the border strip in the Iranian territory opposite the Tib and Fakkah regions. The aircraft subsequently disappeared.

20. 22 November 1999

At 1130 hours an Iranian helicopter was observed one kilometre from the border opposite our units at coordinates 9078. The helicopter later returned to the Iranian interior.

21. 25 November 1999

At 1450 hours a Hughes helicopter was observed flying in the direction of Fakkah from the area behind the international border opposite the Wahab post at coordinates 5150. It then returned to the Iranian interior.

22. 25 November 1999

At 1125 hours a helicopter was observed opposite our units at coordinates 9178, flying at low altitude along the border in a northerly direction, one kilometre inside Iranian territory. Having reached a point opposite coordinates 9102, it returned to the Iranian interior.

23. 26 November 1999

At 1425 hours an Iranian helicopter was observed opposite our units at coordinates 9773, flying at medium altitude east to west, then north along the border line, from which it was 50 metres distant. Having reached a point opposite coordinates 9002, it returned to the Iranian interior.

24. 27 November 1999

At 1215 hours an Iranian helicopter of which the upper part was green in colour and the lower part white was observed approaching from behind Jabal Thaluk, from the city of Mehran. It flew over the Iranian guard posts twice

before returning to the Iranian interior and disappearing behind the mountain opposite the Darraji post at coordinates 1017 (1:100,000 map of Zurbatiyah).

25. 27 November 1999

The Iranians completed the installation of the metal posts opposite the Jiyadiah area at coordinates 436521 (1:100,000 map of Saybah). They also placed a row of fortification pillars between the other posts. Two launches towed a pontoon which was carrying an electric generator, welding equipment and six persons in civilian clothes.